

APPEAL NO. 021192
FILED JULY 1, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on April 10, 2002. The hearing officer decided that the respondent's (claimant) request for spinal surgery should be approved. The appellant (carrier) appealed, asserting that the claimant made multiple procedural errors during the spinal surgery approval process, therefore it should be relieved from liability to pay for the surgery. The file does not contain a response from the claimant.

DECISION

Affirmed.

The hearing officer reviewed the evidence before him and determined that the proper procedures were followed and that the two concurring opinions for spinal surgery were entitled to presumptive weight. Nothing in our review of the record indicates that the hearing officer abused his discretion nor that his decision is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); Pool v. Ford Motor Company, 715 S.W.2d 629, 635 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **FREMONT INDUSTRIAL INDEMNITY COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Daniel R. Barry
Appeals Judge

CONCUR:

Susan M. Kelley
Appeals Judge

Thomas A. Knapp
Appeals Judge